

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :
: Plaintiff, :
: :
v. : : Criminal Action No. 08-107-GMS
: :
ERICK COLEMAN, :
: :
Defendant. :
:

AMENDED MOTION TO EXTEND TIME TO FILE PRE-TRIAL MOTIONS

Defendant, Erick Coleman, by and through his undersigned counsel, Luis A. Ortiz, hereby moves the Court pursuant to Federal Rule of Criminal Procedure 45(b) and Local Rule 5(a), for an Order enlarging the time within which pre-trial motions may be filed.

In support of this motion, the defendant submits as follows:

1. Pre-trial motions for this case are due by August 14, 2008.
2. On July 31, 2008, the government provided defense counsel with discovery in this case.
3. Defense counsel needs time to review this additional discovery in this case with Mr. Coleman, to determine what, if any, pre-trial motions need to be filed. Additionally, the parties have already met in an effort to resolve this matter by means of a non-trial disposition. Depending on the outcome of the negotiations between the government and the defense, the filing of pre-trial motions may not be necessary. In order to complete all negotiations and investigations in this matter, the defense respectfully requests an additional 14 days in which to file any pre-trial motions.

4. Assistant United States Attorney, John C. Snyder, the attorney handling this case for the government, does not oppose the defense's request for an enlargement of time in which to file any pre-trial motions, making this motion unopposed.

5. The defense agrees to waive, pursuant to the Speedy Trial Act, any additional time given in which to file pre-trial motions.

WHEREFORE, it is respectfully requested that the time for defendant to file pre-trial motions be extended to anytime after August 14, 2008.

Respectfully Submitted,

/s/ Luis A. Ortiz

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Dated: August 12, 2008

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ORDER

Having considered Defendant Coleman's Amended Motion to Extend Time to File Pre-Trial Motions, **IT IS HEREBY ORDERED** this _____ day of _____, 2008, that pre-trial motions in this matter shall be due on the _____ day of _____, 2008, and that the time from August 14, 2008 up to the new due date for pre-trial motions to be filed shall be excluded under the Speedy Trial Act (18 U.S.C. § 3161, et seq.).

Honorable Gregory M. Sleet
Chief Judge, United States District Court